

CHAPTER 2
COURT COSTS

COURT COSTS TO BE CHARGED

| <u>Case Type</u> | <u>Case Class Code</u> | <u>Total Cost 100%</u> | <u>Due State Semiannually 55%</u> | <u>Due County Monthly 20%</u> | <u>Due City/Town Monthly 25%</u> |
|---|--------------------------------|--------------------------------|---|---|--|
| Criminal Actions [IC 33-37-4-1] (Note 1): | | | | | |
| Criminal Felony | CM | \$ 120.00 | \$ 66.00 | \$ 24.00 | \$ 30.00 |
| Criminal Misdemeanor | CM | \$ 120.00 | \$ 66.00 | \$ 24.00 | \$ 30.00 |
| Miscellaneous Criminal | MC | \$ 120.00 | \$ 66.00 | \$ 24.00 | \$ 30.00 |
| Judgments [IC 33-37-4-2] (Note 2): | | | | | |
| Infractions | IF | \$ 70.00 | \$ 38.50 | \$ 14.00 | \$ 17.50 |
| Local Ordinance Violations | OV | \$ 70.00 | \$ 38.50 | \$ 14.00 | \$ 17.50 |
| Civil Actions [IC 33-37-4-4]: | | | | | |
| Civil Plenary | CP | \$ 100.00 | \$ 55.00 | \$ 20.00 | \$ 25.00 |
| Miscellaneous | MI | \$ 100.00 | \$ 55.00 | \$ 20.00 | \$ 25.00 |
| Domestic Relations | DR | \$ 100.00 | \$ 55.00 | \$ 20.00 | \$ 25.00 |
| Mental Health | MH | \$ 100.00 | \$ 55.00 | \$ 20.00 | \$ 25.00 |
| Adoptions | AD | \$ 100.00 | \$ 55.00 | \$ 20.00 | \$ 25.00 |
| Small Claims [IC 33-37-4-5]: | | | | | |
| Small Claims | SC | \$ 35.00 | \$ 19.25 | \$ 7.00 | \$ 8.75 |

Note 1. Instead of criminal costs fees prescribed by IC 33-37-4-1, the clerk shall collect a pretrial diversion program fee if an agreement between the prosecuting attorney and the accused person entered into under IC 33-39-1-8 requires the payment of those fees by the accused person. The pretrial diversion program fee is an initial user's fee of fifty dollars (\$50.00) and a monthly user's fee of ten dollars (\$10.00) for each month that the person remains in the pretrial diversion program. [IC 33-37-4-1(c)]

In addition, IC 33-37-5-17 requires the defendant to pay a deferred prosecution fee for court costs of fifty dollars (\$50.00) where the court defers prosecution under IC 33-39-1-8.

The fifty dollars (\$50.00) would be distributed as follows:

| <u>Total Cost 100%</u> | <u>State Semiannually 55%</u> | <u>Due County Monthly 20%</u> | <u>Due City/Town Monthly 25%</u> |
|--------------------------------|---------------------------------------|---|--|
| <u>\$ 50.00</u> | <u>\$ 27.50</u> | <u>\$ 10.00</u> | <u>\$ 12.50</u> |

Note 2. Instead of the infraction or ordinance violation costs prescribed by IC 33-37-4-2, the clerk shall collect a deferral program fee if an agreement between a prosecuting attorney or an attorney for a municipal corporation and the person charged with a violation entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires payment of those fees by the person charged with the violation. The deferral program fee is an initial user's fee of not to exceed fifty-two dollars (\$52.00) and a monthly user's fee of not to exceed ten dollars (\$10.00) for each month the person remains in the deferral program. [IC 33-37-4-2(e)]

In addition, IC 34-28-5-1 requires the defendant in the action to agree to pay court costs of twenty-five dollars (\$25.00) to the clerk of the court if the action involves a moving traffic offense (as defined in IC 9-13-2-110).

The twenty-five dollars (\$25.00) would be distributed as follows:

| Total Cost 100% | State Semiannually 55% | Due County Monthly 20% | Due City/Town Monthly 25% |
|-----------------------|------------------------------|---------------------------------|------------------------------------|
| <u>\$ 25.00</u> | <u>\$ 13.75</u> | <u>\$ 5.00</u> | <u>\$ 6.25</u> |